IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 6989 of 1997

For Approval and Signature:

HONOURABLE MR.JUSTICE K.A.PUJ

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1	Whether Reporters of Local Papers may be allowed to see the judgment ?
2	To be referred to the Reporter or not ?
3	Whether their Lordships wish to see the fair copy of the judgment ?
4	Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?
5	Whether it is to be circulated to the civil judge ?

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S Y PATHAN & 1 - Petitioners
Versus
AHMEDABAD URBAN DEVELOPMENT AUTHORITY & 1 - Respondents

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Appearance :
MRS BHARTI D BHATT for Petitioners.
MR KM PATEL for Respondent No. 1.
MR LB DABHI, AGP for Respondent No. 2.

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CORAM : HONOURABLE MR.JUSTICE K.A.PUJ

Date : 01/12/2005

ORAL JUDGMENT

1.The petitioners have filed this petition under Article 226 & 227 of the Constitution of India praying for the direction to the respondent No. 1 to regularise the services of the petitioners as Drainage Recovery Clerk and to pay them the salary of Clerk with all the benefits of D.A. and other benefits and allowances from the date of their appointment i.e. w.e.f. 17.06.1993.

2.The petition was admitted on 24.7.1997. However, no interim relief was granted.

3.The respondent No. 1 appeared through advocate and filed affidavit-in-reply on 08.12.1997.

4.After some arguments, Mr. D.R. Bhatt, learned advocate appearing for the petitioners seeks permission to withdraw this petition with a view to avail the alternative remedy of

approaching the Labour Court. The Court has not gone into the merits of the matter and hence, permission as prayed for is granted. If the petitioners approach the Labour Court, the Labour Court will decide the matter without being influenced by the withdrawal of this petition before this Court.

5.This petition is accordingly disposed of as having been withdrawn. Rule discharged without any order as to costs.

[K.A. PUJ, J.]

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